



1995 ASSEMBLY BILL 204

March 15, 1995 - Introduced by Representatives OTTE, HASENOHRL, PORTER, OTT, LEHMAN, GOETSCH, DOBYNS, SILBAUGH, HANDRICK and TURNER, cosponsored by Senators A. LASEE, BRESKE and DARLING. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 342.40 (3) (b) of the statutes; **relating to:** the costs of removing,
2 impounding and disposing of abandoned stolen vehicles.

Analysis by the Legislative Reference Bureau

Current law permits any municipality or county to enact an ordinance prohibiting vehicle abandonment and providing for payment of a forfeiture for the vehicle abandonment. The ordinance must provide for the removal and disposal of abandoned vehicles, including impoundment and, unless claimed by the owner or any lienholders of record, disposal by selling or junking the vehicle. Except for a stolen vehicle, the vehicle owner is responsible for payment of all costs of impounding and disposing of the abandoned vehicle.

This bill makes the owner of a stolen vehicle responsible for payment of all costs of impounding and disposing of the abandoned vehicle.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 342.40 (3) (b) of the statutes is amended to read:

4 342.40 (3) (b) The owner of any abandoned vehicle ~~except a stolen vehicle~~ is
5 responsible for the abandonment and all costs of impounding and disposing of the
6 vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil
7 action by the municipality against the owner. Whether or not the municipality
8 recovers the cost of towing and enforcement, the municipality shall be responsible

1 to the towing service for requisitional towing service and reasonable charges for
2 impoundment.

3 (END)